

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JONAS ROBERT,
Plaintiff

v.

DR. ZALOGA and
JANINE DONATE,
Defendants

:
:
:
:
:
:
:
:

CIVIL No. 4:10-CV-02303

(Chief Judge Kane)

(Magistrate Judge Smyser)

ORDER

Before the Court in the above-captioned action is a January 28, 2011 report and recommendation of Magistrate Judge Smyser. No timely objections have been filed.

ACCORDINGLY, on this 8th day of March 2011, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT:**

1. The report and recommendation of Magistrate Judge Smyser (Doc. No. 18) is **ADOPTED**.
2. Plaintiff's claims against Defendant Donate are **DISMISSED**.
3. The matter is **REMANDED** to Magistrate Judge Smyser.

S/ Yvette Kane
Yvette Kane, Chief Judge
United States District Court
Middle District of Pennsylvania